

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

TONY CHANNELL,

Plaintiff,

v.

**NUTRITION DISTRIBUTION, LLC,
d/b/a ANABOLIC EXTREME,
DESIGNER SUPPLEMENTS, INC.,
et al.,**

Defendant.

*
*
*
*
*
*
*
*
*
*

CASE NO. 2:07-cv-01103-MFT

**JOINT MOTION TO STAY RULE 26 (F) ORDER PENDING A RULING ON THE
JURISDICTIONAL ISSUES BEFORE THE COURT**

The Parties hereby move the Court to stay its January 7, 2008 Rule 26 (F) Order (Doc. 14) until a ruling is entered on Tony Channell's Motion to Remand (Doc. 12). The Parties further agree that should the Court decide to deny Mr. Channell's Motion to Remand, the Parties will submit a proposed discovery plan within 10 days of such Order.

Submitted: January 23, 2008.

BY:

/s/ Matthew E. Munson
W. Roger Smith, III
Matthew E. Munson
BEASLEY, ALLEN, CROW,
METHVIN, PORTIS, & MILES, P.C.
234 Commerce Street
Montgomery, Alabama 36104

David F. Miceli
DAVID F. MICELI, L.L.C.
119 Maple Street, Suite 201
Carrollton, Georgia 30117

Attorneys for Tony Channell

AND:

/s/ Andrew C. Clausen

Andrew C. Clausen
ALFORD, CLAUSEN, & MCDONALD
One St. Louis Centre
Suite 5000
Mobile, AL 36602

Attorneys for Nutrition Distribution, LLC

/s/ Kathy R. Davis

Kathy R. Davis
CARR, ALLISON, PUGH, HOWARD,
OLIVER, & SISSON PC
100 Vestavia Parkway
Suite 200
Birmingham, AL 35216

Attorneys for DPS Nutrition, Inc.

/s/ Steven Anthony Higgins

Steven Anthony Higgins
NIX, HOLTSFORD, GILLILAND,
HIGGINS, & HITSON, PC
PO Box 4128
Montgomery, AL 36103-4128

Attorneys for Designer Supplements, Inc.